

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

ISONOVA TECHNOLOGIES LLC,

Plaintiff,

vs.

DAVID L. RETTIG,

Defendant.

No. 24-CV-97-CJW-KEM

ORDER

This matter is before the Court on its own Order Staying Case. For the following reasons, this case is **stayed** until further order of the Court.

On September 12, 2024, plaintiff filed a complaint for entry of consent judgment against defendant. (Doc. 1). On October 14, 2024, defendant filed a motion to dismiss under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(7). (Doc. 12). Plaintiff filed a resistance on October 18, 2024 (Doc. 16), and defendant filed a reply on October 24, 2024 (Doc. 17), at which time the motion became ripe for a decision. While the Court was considering the motion to dismiss, defendant notified the Court that he had filed for Chapter 7 bankruptcy in the United States Bankruptcy Court for the Western District of Wisconsin. (Doc. 18).

A party's filing of a bankruptcy petition operates as a stay of the "commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the [bankruptcy court], or to recover a claim against the debtor that arose before the commencement of the [bankruptcy case]." 11 U.S.C. § 362(a)(1). Thus, defendant's Chapter 7 bankruptcy filing triggers an automatic stay of plaintiff's claim against it. In light of the stay, the Court cannot address defendant's motion to dismiss at this time as a

decision would be a “continuation . . . of [an] action or proceeding against the debtor.”
See 11 U.S.C. § 362(a)(1).

For these reasons, it hereby ordered that this case is **stayed** until further order of this Court. Beginning January 24, 2025, the parties shall submit a status report to the Court every 90 days to apprise the Court of the status of defendant’s bankruptcy case and its effect on this proceeding. Within 14 days of the resolution of the bankruptcy matter the parties shall also inform the Court the bankruptcy matter was resolved.

IT IS SO ORDERED this 28th day of October, 2024.



C.J. Williams, Chief Judge
United States District Court
Northern District of Iowa